

# United States Senate

WASHINGTON, DC 20510

December 14, 2007

The Honorable Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Martin:

We believe your determined push to relax media ownership rules by forcing a vote on December 18<sup>th</sup> short circuits the public comment period that would normally accompany a major rule change of this type.

It is customary to provide a reasonable period for comment when proposing rule changes in order to allow the American people an opportunity to review, understand and comment.

When you proposed a new rule on the effects of communications towers on migratory birds, you allowed for a 90 day comment period. How could you decide to allow 90 days for a migratory bird rule and then shortchange the public on the media ownership rule?

You claim that you have given the public adequate opportunity by holding hearings across the country on media ownership issues and allowing a 120 day comment period. But no one attending those hearings or submitting comments could have been prepared to assess a proposed rule that did not exist.

You announced the rule in a press release on November 13, 2007 with a comment period of just 28 days ending on December 11, 2007. You announced you would take final action on the proposed rule just one week later on December 18, 2007. We believe this denies the American public any real ability for input and fails to reflect reasoned and transparent agency decision-making. Furthermore, we know you are aware that the Senate Commerce Committee has unanimously passed a piece of legislation asking you to defer action on December 18<sup>th</sup>. We believe you have shortchanged the comment process and you have not completed a full review of localism prior to forcing a vote on a rule change dealing with media ownership limits.

With this in mind we are writing to notify you that if you proceed to take final action on this rule on December 18<sup>th</sup> without having given a reasonable opportunity for comment on the actual rules and study the related issues, we will immediately move legislation that will revoke and nullify the proposed rule. We are notifying you and others of this proposed action in order to make certain you understand the consequences of ignoring the

need for and the right of the American people to play a constructive role in attempts by a federal agency to change rules that have a substantial impact on the American people.

In light of this, we request and expect that you will postpone the action scheduled for December 18, 2007.

Sincerely,

Byron D. Long

Paul Lott

John F. Kennedy

Ron Wyden

Wynn Jones

Shirley

Michael S. Siskind

Ken Lewis

Carol McCull

MARK BOYER

Blaire L. Linder

Robert B. Corz

James Feinstein

Jack Reed

Red Stevens B. L. Sh

Norm Feingold B. L. Sh

Bill Nelson /05 / Biden

An Test Hillary Rodham Clinton  
Chris. Nam L. J. Sh

Robert Bejr

Cc:

The Honorable Michael J. Copps, FCC Commissioner

The Honorable Jonathan S. Adelstein, FCC Commissioner

The Honorable Deborah T. Tate, FCC Commissioner

The Honorable Robert M. McDowell, FCC Commissioner